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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,051

10/04/2005

Joseph Franciscus Raymond Eijsermans

NL 030376

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03/21/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

HANLEY, BRITT D

ART UNIT

PAPER NUMBER

2889

MAIL DATE

DELIVERY MODE

03/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/552,051	Applicant(s) EIJSERMANS ET AL.	
	Examiner BRITT HANLEY	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

[01] Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

[02] The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Specification

[03] The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

[04] The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

[05] As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

- (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

[06] The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

[07] Claims 1-4, 6, 7, and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Der Leeuw *et al.* (US 6078140).

[08] Regarding claim 1, Van Der Leeuw *et al.* disclose a lamp assembly comprising: a lamp vessel (1, Figure 1) of quartz glass (column 4, line 49) closed in a gastight manner (column 4, lines 49-50), the lamp vessel having a longitudinal axis (2) and comprising at least one vessel end portion (4, 4'), at least one metal-foil electrical feed-through (11) providing an electrical connection from the interior of the lamp vessel (1) through the vessel end portion (4, 4') to outside the lamp vessel (1), at least a portion (15) of the metal-foil electrical feed-through being arranged in the vessel end portion in a plane substantially perpendicular to the longitudinal axis (2).

[09] Regarding claim 2, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, characterized in that the metal-foil electrical feed-through (11) comprises a central foil portion (the middle foil) and a first and a second foil end portion (the outer foils surrounding

the middle foil on two sides), the central foil portion being arranged in the plane perpendicular to the longitudinal axis (11) and the first and second foil end portions issuing from the vessel end portion (4, 4'), such that the first foil end portion (foil closest to electrode) extends to the interior (extends via inner conductor 12) of the lamp vessel (1) and the second foil end portion (foil furthest from the electrode) extends to outside the lamp vessel (via outer conductor 13).

[10] Regarding claim 3, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, characterized in that the vessel end portion (1) is provided with a first and a second metal-foil electrical feed-through (there are 3 metal foil feed-throughs, 11).

[11] Regarding claim 4, Van Der Leeuw *et al.* disclose a lamp assembly as claim in claim 2, characterized in that the first metal-foil electrical feed through (11 in one vessel end) comprises a first central foil portion (the middle foil of 11 in one side of the vessel) and the second metal-foil electrical feed-through (11 in the other side of the vessel) comprises a second central foil portion (the middle foil of 11 in the other side of the vessel), the first central foil portion being arranged substantially parallel to the second central foil portion (both central foil portions are in the same plane perpendicular to the longitudinal axis).

[12] Regarding claim 6, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 2, characterized in that the first foil end portion (foil closest to electrode) is provided with an inner conductor (12) in the interior of the lamp vessel (1) and that the second foil end portion (foil furthest from the electrode) is provided with an outer conductor (13) outside the lamp vessel (1).

[13] Regarding claim 7, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, characterized in that the metal-foil electrical feed-through comprises molybdenum (column 1, line 61).

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[14] Regarding claim 9, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, characterized in that the metal-foil electrical feed-through comprises a pair of mutually opposed knife edges (15) extending transversely to the longitudinal axis (2).

[15] Regarding claim 10, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, further including an incandescent filament located in the interior of the lamp vessel and connected to the metal-foil electrical feed-through (column 4, lines 26-30).

[16] Regarding claim 11, Van Der Leeuw *et al.* disclose a lamp assembly as claimed in claim 1, further including a discharge electrode located in the interior of the lamp vessel and coupled to the metal-foil electrical feed-through (column 4, lines 26-30).

Claim Rejections - 35 USC § 103

[17] The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[18] The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

[19] Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Der Leeuw *et al.* (US 6078140) in view of applicant cited Madden *et al.* (US 5021711).

[20] Regarding claim 8, Van Der Leeuw *et al.* disclose the limitations of claim 1 above. Van Der Leeuw *et al.* do not explicitly appear to disclose that a surface of the metal-foil electrical feed-through is provided with an oxidation-inhibiting material. However, in the same field of lamps, Madden *et al.* disclose a surface of a metal-foil electrical feed-through is provided with an oxidation-inhibiting material (column 3, lines 62-66) in order to provide the molybdenum foils with very high oxidation resistance (column 5, lines 8-10). At the time the invention was made, it would have been obvious to a person having ordinary skill in the art having the references of Van Der Leeuw *et al.* and Madden *et al.* to modify molybdenum foils of Van Der Leeuw *et al.* to include the oxidation inhibiting coating of Madden *et al.* in order to provide the molybdenum foils with very high oxidation resistance (column 5, lines 8-10, Madden *et al.*).

Allowable Subject Matter

[21] Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim 1 and intervening claim 2.

[22] The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose nor render obvious a first and second metal-foil electrical feed-through comprising a first and second central foil portions in a crossing relationship with each other, together with other cited limitations.

Conclusion

[23] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Britt Hanley whose telephone number is (571) 270-3042. The examiner can normally be reached on Monday - Thursday, 6:30a-5:00p ET.

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[24] If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mihn-Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

[25] Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Britt Hanley/
Examiner, Art Unit 2889

/Karabi Guharay/
Primary Examiner, Art Unit 2889